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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,966	04/11/2001	Louis Amadio	03797.00026	9719

28319 7590 08/23/2005

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/832,966

Applicant(s)

AMADIO ET AL.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,21,24 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,21,24 and 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Non-Final Rejection
Response to Amendment

RC E H

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 6-09-2005.

2. Claims 1-28 have been examined.

Status of Claims:

3. Claims 20, 21, 24, and 26-28 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "Mac OS 8.5 Bible".

4. Claims 1-19, 22, 23, and 25, have been cancelled by the applicant.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 20 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Support was no pointed out by the applicant nor could it be found in the specification for the limitation of "receiving a first **user selection** of a first textual property for the first file type" and "receiving a second **user selection** of a second textual property for the second file type".

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 20, 21, 24, and 26-28 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "*Mac OS 8.5 Bible*".

9. With regard to claim 20, which teaches an operating system configure to support a plurality of types, a method of displaying a plurality of files, a first file having a first file type and a second file having a second file type, Poole teaches, on pages 81-84 and 131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types. Pool further teaches, in figure 6-17, a first file being a Microsoft Word type item, and a second item being a Photoshop type item (as is defined by the image next to the Name and the associated Kind label). With regard to claim 20, which teaches a set of relevant textural properties of each file being stored by the operating system, Poole teaches, on pages 130 and 131, a set of relevant textual properties being stored for each item, in the Name, Kind, Label, and associated assignable Label values. With regard to claim 20, which teaches receiving a first user selection of a first textual property for the first file type and receiving a second user selection of a second textual property for the second file type, wherein the second textural property is different from the first textural property, Poole teaches, on pages 130 and 131, the OS allowing for

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user selection of a textual Label to associate with item types differentiating on item form another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report rev1> file with "Cool" assigned to the <Shoes> file), and further associating a Kind to each item (items with the W icon (for Word) are associated with the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind). With regard to claim 20, further teach displaying a first value of the selected first textual property at a location relative to a first graphical representation of the first file, and displaying a second value of the selected second textual property at a location relative to a second graphical representation of the second file, Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying the associated value for a property at a location adjacent to the graphical representation of the file.

10. With regard to claim 21, which teaches receiving including receiving a first user selection includes receiving the user selection of the first textural property from a list of the relevant textual properties of the first file type, Poole further teaches, on pages 130 and 131, allowing the user to Label items through selection of first the items to be labeled and then selecting the desired Label from the menu. Poole further teaches, on pages 81 and 82, the user selection to display the Kind field from the View menu, which display the corresponding Kinds for each file.

11. With regard to claim 24, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on

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page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

12. With regard to claim 26, which teaches the set or relevant textual properties for the first file type is different from the set of relevant properties for the second file type, Poole teaches, on page 131, that in the set of relevant properties that include Name, Labels, and Kind, Kind is a property that has a unique value based on the file type.

Poole further teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, in the list view, folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information.

13. With regard to claim 27, which teaches a method for displaying items in a computer operating system, Poole teaches, on pages 81-84 and 131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types.

With regard to claim 27, which further teaches associating a first item type with a first property, and associating a second item type with a second property, wherein the first property is different from the second property and not associated with the second item type, Poole further teaches, in figure 6-17, a first file being a Microsoft Word type item, and a second item being a Photoshop type item (as is defined by the image next to the Name and the associated Kind label). Poole teaches, on pages 130 and 131, the OS associating a textual Label with item types differentiating on item from another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report rev1> file with "Cool" assigned to the <Shoes> file), and further associating a Kind to each item (items with the W icon (for Word) are associated with the "Microsoft Word 1x-5x document"

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Kind and items with the icon with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind). With regard to claim 27, further teaching displaying a listing of a plurality of item type, wherein the plurality of items comprises a first item of the first item type and a second item of the second item type, Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying the associated value for a property at a location adjacent to the graphical representation of the file. With regard to claim 27, further teaching displaying for each item in the listing a graphical representation, a name, and a slot, Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying a graphical representation of the file with the associated name and displaying the associated value for a property at a slot adjacent to the graphical representation and name. With regard to claim 27, further teaching displaying in the slot of the first item a textual value for the first property of the first item, and displaying in the slot of the second item a textual value for the second property of the second item, Poole teaches, on pages 130 and 131 specifically figure 6-17, associating a Kind value in a slot adjacent to each item. Items with the "Word icon" are associated with the "Microsoft Word 1x-5x document" Kind and items with the "Photoshop icon" are associated with the "Photoshop graphic" Kind.

14. With regard to claim 28, which teaches the first item type comprising a first file format and the second item type comprising a second file format, Poole teaches, on pages 130 and 131 specifically figure 6-17, the items of different types being display with their respective type. "Word icon" are associated with the "Microsoft Word 1x-5x

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document" Kind (type) and items with the "Photoshop icon" are associated with the "Photoshop graphic" Kind (type).

Response to Arguments

15. The arguments filed on 6-09-2005 have been fully considered, but they are not persuasive. Reasons are set forth below.

16. Applicant's arguments with respect to claims 20 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

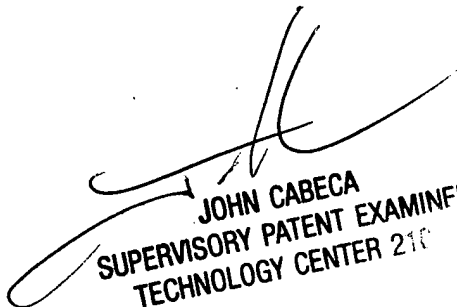
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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dgb


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